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**UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

NICOLLE FOSTER,

Plaintiff,

vs.

CREDIT ONE BANK, N.A.,

Defendant.

Case No.: 2:21-cv-00680-APG-VCF

**STIPULATION AND ORDER  
EXTENDING DISPOSITIVE MOTIONS  
AND RESPONSES THERETO**

**(FIRST REQUEST)**

Defendant Credit One Bank, N.A. (“Defendant”), and Plaintiff Nicolle Foster (“Plaintiff”) (collectively referred to as “Parties”), by and through their respective counsel, hereby stipulate and agree to extend the time for the Parties to file dispositive motions in this action. Pursuant to the Court’s Order of June 14, 2022 Order (ECF 38), the current deadline for filing dispositive motions is October 2, 2022. Defendant took the deposition of Plaintiff on August 19, 2022 and the Parties have agreed for Plaintiff to take the depositions of Tammi Reynolds, Ann Krutchik, Vera Yanez-Tourigny, and Allen Mason, if these witnesses can be located from their last known as after the discovery deadline. Because of the outstanding depositions, good cause exists for the proposed extension of time to file and respond to dispositive motions. The Parties previously filed five requests to extend discovery deadlines, due in large part to the issues regarding location of the witnesses identified above, and this is the Parties’ first request to extend the dispositive motion deadline.

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**I. REASONS TO EXTEND THE DISPOSITIVE MOTION DEADLINE**

The extension is necessary, given the current briefing schedule for dispositive motions. The Parties conducted the deposition of Plaintiff on August 22, 2022. The Plaintiff has thirty (30) days from the date of receipt of her deposition transcript to review and make any changes to the transcript. Currently, the deadline to file dispositive motions is October 2, 2022. This will leave little, to perhaps no time to incorporate Plaintiff's deposition testimony into dispositive motions. Taking the time for deposition transcript preparation, the review of said deposition transcript into account, and Plaintiff's request to take the depositions of Tammi Reynolds, Ann Krutchik, Vera Yanez-Tourigny, and Allen Mason, the Parties have agreed to extend the dispositive motion deadline and have agreed to a proposed briefing schedule:

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Based on the foregoing, the Parties have agreed that the dispositive motion deadlines should be extended in the following manner:

- Defendant shall file its dispositive motion no later than **Wednesday, November 30, 2022**;
- Plaintiff will file her opposition no later than **Wednesday, December 14, 2022**; and
- Defendant shall file its reply no later than **Wednesday, December 21, 2022**.

DATED this 9<sup>th</sup> day of September, 2022.

DATED this 9<sup>th</sup> day of September, 2022.

Law Offices of Robert P. Spretnak

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,  
P.C.

/s/ Robert P. Spretnak

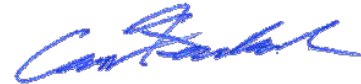
/s/ Noel M. Hernandez

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### ORDER

IT IS SO ORDERED.



Cam Ferenbach  
United States Magistrate Judge

DATED 9-19-2022